

Senate File 364 - Introduced

SENATE FILE 364

BY D. JOHNSON

A BILL FOR

1 An Act relating to the creation of a water quality control
2 board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **466D.1 Water quality control board**
2 **— creation.**

3 1. A water quality control board is created to provide
4 oversight of all water quality initiatives in the state that
5 are funded, in whole or in part, with public moneys in the form
6 of grants, loans, or other forms of financial assistance, and
7 to oversee implementation of a coordinated, statewide watershed
8 approach that ensures Iowans receive a good return on water
9 quality investments.

10 2. The water quality control board is established in
11 the division of soil conservation and water quality of
12 the department of agriculture and land stewardship for
13 administrative and budgetary purposes.

14 Sec. 2. NEW SECTION. **466D.2 Membership.**

15 1. The governor shall appoint the members of the water
16 quality control board for staggered terms of six years
17 beginning and ending as provided by section 69.19, subject to
18 confirmation by the senate. The governor shall include within
19 the membership:

20 a. One member selected by the Iowa state association of
21 counties.

22 b. One member selected by the Iowa league of cities.

23 c. Three members who represent public or private
24 institutions or organizations experienced in agricultural
25 practices, conservation practices, water quality practices, and
26 other persons especially interested in water quality.

27 d. Two members representing the general public.

28 2. a. Sections 69.16, 69.16A, and 69.19 shall apply to the
29 members of the water quality control board.

30 b. Any vacancy in the membership of the board shall
31 be filled in the same manner as regular appointments are
32 made for the unexpired portion of the regular term. In the
33 event the governor fails to make an appointment to fill a
34 vacancy or fails to submit the appointment to the senate for
35 confirmation as required by section 2.32, the senate may make

1 the appointment prior to adjournment of the general assembly.

2 *c.* Each member of the board shall be compensated as provided
3 in section 7E.6.

4 3. The board shall not include any member who has a conflict
5 of interest, and a statement by a member that the member has a
6 conflict of interest is conclusive for this purpose.

7 Sec. 3. NEW SECTION. **466D.3 Administration of board.**

8 1. The water quality control board shall conduct business
9 according to all of the following:

10 *a.* Four members constitute a quorum and the affirmative vote
11 of a majority of the members is necessary for any action taken
12 by the board. A vacancy in the membership does not impair the
13 right of a quorum of four members to exercise all rights and
14 perform all duties of the board.

15 *b.* Meetings of the board shall be held at the call of the
16 chairperson or whenever two members so request.

17 *c.* The members shall elect a chairperson and vice
18 chairperson annually, and other officers as the members
19 determine.

20 2. The department of agriculture and land stewardship in
21 cooperation with the department of natural resources shall
22 assist the board by doing all of the following:

23 *a.* Provide the board with necessary facilities, items, and
24 clerical support.

25 *b.* Perform administrative functions necessary for the
26 management of the board.

27 Sec. 4. NEW SECTION. **466D.4 Duties and powers.**

28 In furthering the purposes set forth in section 466D.1,
29 subsection 1, the water quality control board shall do all of
30 the following:

31 1. Request data from the department of agriculture and land
32 stewardship, the department of natural resources, and the Iowa
33 finance authority relating to water quality initiatives that
34 each agency is required to administer.

35 2. Oversee statewide watershed assessment, prioritization

1 and planning processes of the water resources coordinating
2 council established pursuant to section 466B.3, and the
3 watershed planning advisory council established pursuant to
4 section 466B.31, and other efforts through the department of
5 agriculture and land stewardship, the department of natural
6 resources, and the Iowa finance authority.

7 3. Provide oversight and coordination of state water
8 quality project funding and cooperate with state and local
9 agencies to develop requirements and evaluation criteria for
10 awarding funds, including all of the following:

11 a. The project has a coordinated plan and timeline for
12 development of a plan.

13 b. The project plan includes goals, timelines, monitoring,
14 measurement, and progress reports.

15 c. The project has the approval and involvement of local
16 leadership and the project has received or is an applicant for
17 funding from other state, federal, local, and private sources.

18 4. Ensure monitoring and results at a small watershed level
19 (HUC-12) are available to the public.

20 5. Identify additional water quality improvement needs,
21 including the need to develop new or innovative programs or
22 projects.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill creates a water quality control board established
27 in the division of soil conservation and water quality of
28 the department of agriculture and land stewardship for
29 administrative and budgetary purposes. The purpose of the
30 board is to provide oversight of all water quality initiatives
31 in the state that are funded, in whole or in part, with
32 public moneys in the form of grants, loans, or other forms
33 of financial assistance, and to oversee implementation of a
34 coordinated, statewide watershed approach that ensures Iowans
35 receive a good return on water quality investments. This

1 includes cooperating with state and local agencies to develop
2 and monitor water quality projects. The board is composed of
3 seven voting members appointed by the governor, subject to
4 confirmation by the senate. The appointive board shall be
5 bipartisan, and no appointment or reappointment shall cause
6 the membership of one political party to be greater than
7 one-half the membership of the board (Code section 69.16). The
8 board shall also be gender balanced (Code section 69.16A).
9 Three members shall be persons representing institutions or
10 organizations experienced in agriculture, conservation, and
11 water quality, one member shall be selected by the Iowa state
12 association of counties, one member shall be selected by the
13 Iowa league of cities, and two members are to represent the
14 general public.

15 The bill provides that the board is responsible for
16 overseeing water quality initiatives in the state. The
17 board is authorized to collect data relating to water quality
18 initiatives from the department of agriculture and land
19 stewardship, the department of natural resources, and the Iowa
20 finance authority to carry out responsibilities to oversee a
21 statewide, coordinated water quality initiative approach. The
22 board shall also be assisted by the department of agriculture
23 and land stewardship and the department of natural resources
24 with necessary facilities, items, clerical support, and to
25 perform administrative functions necessary for the management
26 of the board.